

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,  
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A29-07539  
Date Received: 2/20/1990  
Receipt No: E012102  
Received By: RC

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: JUSTIN LOWDER 208-237-4865  
Address: 14451 W. CHUBBUCK RD  
POCATELLO, ID 83201  
OR  
Name: LUCILE LOWDER 208-237-4865  
Address: 14451 W. CHUBBUCK RD  
POCATELLO, ID 83201

A2907539

2. Date of Priority: APR 04, 1980

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 06S      | 34E   | 8       | NW     | NE     |     |     | BANNOCK |

5. Description of diverting works:  
WELL & PUMP/ SPRINKLER AND FLOOD IRRIGATE

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 0.030 |      |        |
| DOMESTIC   | 01/01 | 12/31 | 0.040 |      |        |

7. Total Quantity Appropriated is:  
0.070 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 5.0 Acre Feet Per Annum.

9. Non-irrigation uses:  
D/ ONE HOME

A29-07539

Page 1

Date: 02/20/90

MICROFILMED

NOV 13 1992

10. Place of Use:

| Township      | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 06S           | 34E   | 8       | NW     | NE  |     | IRR | 2.0   |
| Section Acres |       |         |        |     |     |     | 2.0   |
| Total Acres   |       |         |        |     |     |     | 2.0   |

11. Place of use in counties: BANNOCK

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:  
NONE

14. Remarks:

15. Basis of Claim: PERMIT

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not \_\_\_\_\_ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: \_\_\_\_\_

**For Individuals:**

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *Just Linder* Date: 2/20/90  
Date: \_\_\_\_\_

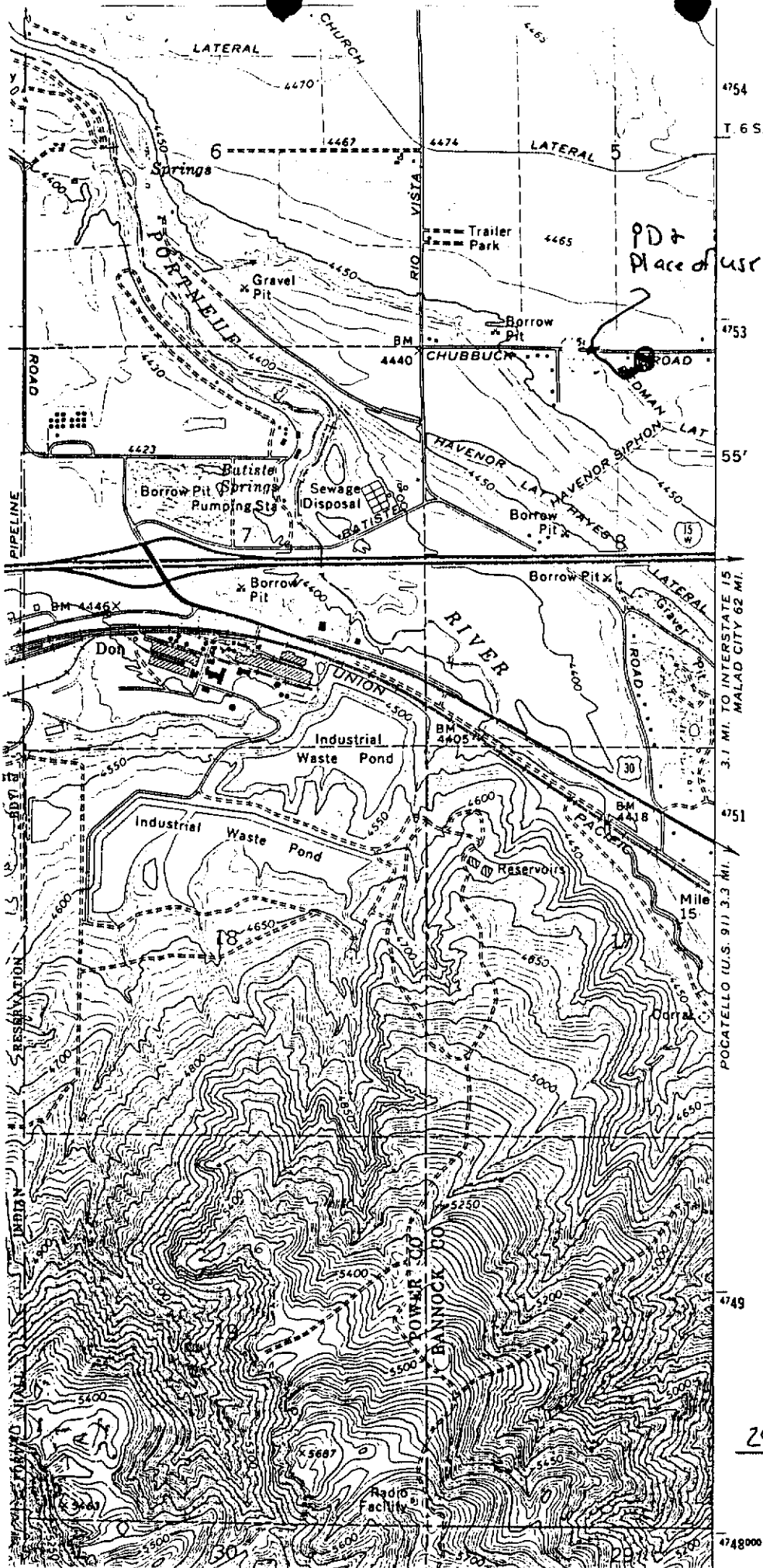
State of Idaho )  
County of Bonneville ) SS.

Subscribed and sworn (or affirmed) before me this 20<sup>th</sup> day  
of February 19 90 *Colleen Ward*  
Notary Public

Seal

Residing at *Mark Sells*  
My Commission Expires 3/29/91

#29-7539



MICROFILMED

NOV 13 1992

29-7539

4748000 N.

Log for claim A29-07539

Spatial Dynamics BTD

9/22/00

| TR      | SEC | QQ   | Acres<br>Claimed | Acres<br>Found | COMMENT |
|---------|-----|------|------------------|----------------|---------|
| 06s34e  | 8   | NWNE | 2                | 1.9            |         |
| Totals: |     |      | 2                | 1.9            |         |

AJ5809NP  
No. A29-07539

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/24/00  
PAGE: 119

| OWNER<br>CODE | NAME & ADDRESS      | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|---------------|---------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C             | JUSTIN LOWDER       | 04/04/1980       | IRRIGATION | 03-15 11-15           | 0.030 CFS         |                     |
| C             | LUCILE LOWDER       |                  | DOMESTIC   | 01-01 12-31           | 0.040 CFS         |                     |
|               | 14451 W CHUBBUCK RD |                  |            |                       |                   |                     |
|               | POCATELLO ID 83201  |                  |            |                       |                   |                     |
|               | (208) 237-4865      |                  |            | TOTAL DIVERSION:      | 0.070 CFS         |                     |
|               |                     |                  |            | CONSUMPTIVE USE:      |                   | 5.00 AFA            |

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: T06S R34E S08

NWNE

BANNOCK County

Place of use Legal Description for: IRRIGATION

| NE  |     |   |      |    |    |    |    |    |    |    |      | NW |    |    |    | SW |    |    |      | SE |    |    |      |    |    |    |       |     |
|-----|-----|---|------|----|----|----|----|----|----|----|------|----|----|----|----|----|----|----|------|----|----|----|------|----|----|----|-------|-----|
| T   | R   | S | : Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | : Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | : Lt | Ac | Lt | Ac | : Lt | Ac | Lt | Ac | : SUM |     |
| 06S | 34E | 8 | :    |    |    |    |    |    |    |    | :    |    |    |    |    |    |    |    | :    |    |    |    | :    |    |    |    | :     | 2.0 |
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State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 29-07539

Priority: April 4, 1980

Maximum Diversion Rate: 0.07 CFS  
Maximum Diversion Volume:<sup>1</sup> 4.1 AF

This is to certify, that JUSTIN LOWDER  
LUCILE LOWDER

745 N. HAYES

POCATELLO, ID 83201

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 4, 1980; and has submitted Proof of Beneficial Use on April 16, 1985. An examination indicates that the works have a diversion capacity of .090 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| IRRIGATION            | 03/15 to 11/15       | 0.03 CFS                 | 3.5 AF               |
| DOMESTIC              | 01/01 to 12/31       | 0.04 CFS                 | 0.6 AF               |
|                       | Totals               | 0.07 CFS                 | 4.1 AF               |

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 8, Township 06S, Range 34E  
BANNOCK County

PLACE OF USE: IRRIGATION

| <u>TWN</u> | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|------------|------------|------------|--------------|--------------|--------------|--------------|
| 06S        | 34E        | 8          | NWNE         | 1            |              | 1            |

Total number of acres irrigated: 1

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or applicable Idaho law.

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APR 17 1990

State of Idaho  
Department of Water Resources

**WATER RIGHT LICENSE**

WATER RIGHT NO. 29-07539

CONDITIONS/REMARKS:

5. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 3.5 afa per acre for the lands above.
6. Domestic use is for 1 home.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 4<sup>TH</sup> day of APRIL, 1990.

Acting for R. Keith Higginson, Director

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STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Justin Lowder and/or Lucile Lowder Phone 237-1827

Post office address Rt. #4, Box 322A Pocatello, Idaho

2. Source of water supply Groundwater which is a tributary of \_\_\_\_\_

3. Location of point of diversion is NW  $\frac{1}{4}$  of NE  $\frac{1}{4}$  of Section 8 Township 6S

Range 34E B.M. Bannock County, additional points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

Amount .04 for Irrigation purposes from March 15 to Nov. 15 (both dates inclusive)  
(cfs or acre-feet per annum)

Amount .04 for Domestic purposes from Jan. 1 to Dec. 31 (both dates inclusive)  
(cfs or acre-feet per annum)

Amount .04 for Commerical purposes from Jan. 1 to Dec. 31 (both dates inclusive)  
(cfs or acre-feet per annum)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. .12 cfs cubic feet per second and/or b. \_\_\_\_\_ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 5 H.P. vertical jacuzzi, 179 ft.  
of casing 199 ft. deep, 8"

b. Height of storage dam \_\_\_\_\_ feet, active reservoir capacity \_\_\_\_\_ acre-feet; total reservoir  
capacity \_\_\_\_\_ acre-feet, materials used in storage dam: \_\_\_\_\_

Period of year when water will be diverted to storage \_\_\_\_\_ to \_\_\_\_\_ inclusive.  
(Month/Day) (Month/Day)

c. Proposed well diameter is 8" inches; proposed depth of well is 199 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial  
use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NW  $\frac{1}{4}$  of NE  $\frac{1}{4}$  of Section 8 Township 6S  
Range 34E B.M.

(2) Amount of power to be generated: \_\_\_\_\_ horsepower under \_\_\_\_\_ feet of head.

(3) List number of each kind of livestock to be watered \_\_\_\_\_

(4) Name of municipality to be served \_\_\_\_\_, or number of families to be  
supplied with domestic water 1

(5) If water is to be used for other purposes describe: Commercial use, steam cleaning  
of machinery

RECORDED

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

[illegible]

**Total number of acres to be irrigated** 2

c. Describe any other water rights used for the same purposes as described above. None

9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use      Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks

1. The first step in the process of creating a new product is to identify a market need. This involves conducting market research to understand the target audience and their preferences.

2. Once a market need is identified, the next step is to develop a product concept. This involves brainstorming ideas and creating a prototype to visualize the product.

3. The third step is to conduct a feasibility study. This involves evaluating the technical, financial, and operational aspects of the product to determine if it is viable.

4. After the feasibility study is complete, the next step is to develop a business plan. This involves outlining the marketing, sales, and distribution strategies for the product.

5. The final step is to launch the product. This involves manufacturing the product, distributing it to retailers, and promoting it to the target audience.

6. Once the product is launched, it is important to monitor its performance and gather feedback from customers. This information can be used to make improvements and refine the product.

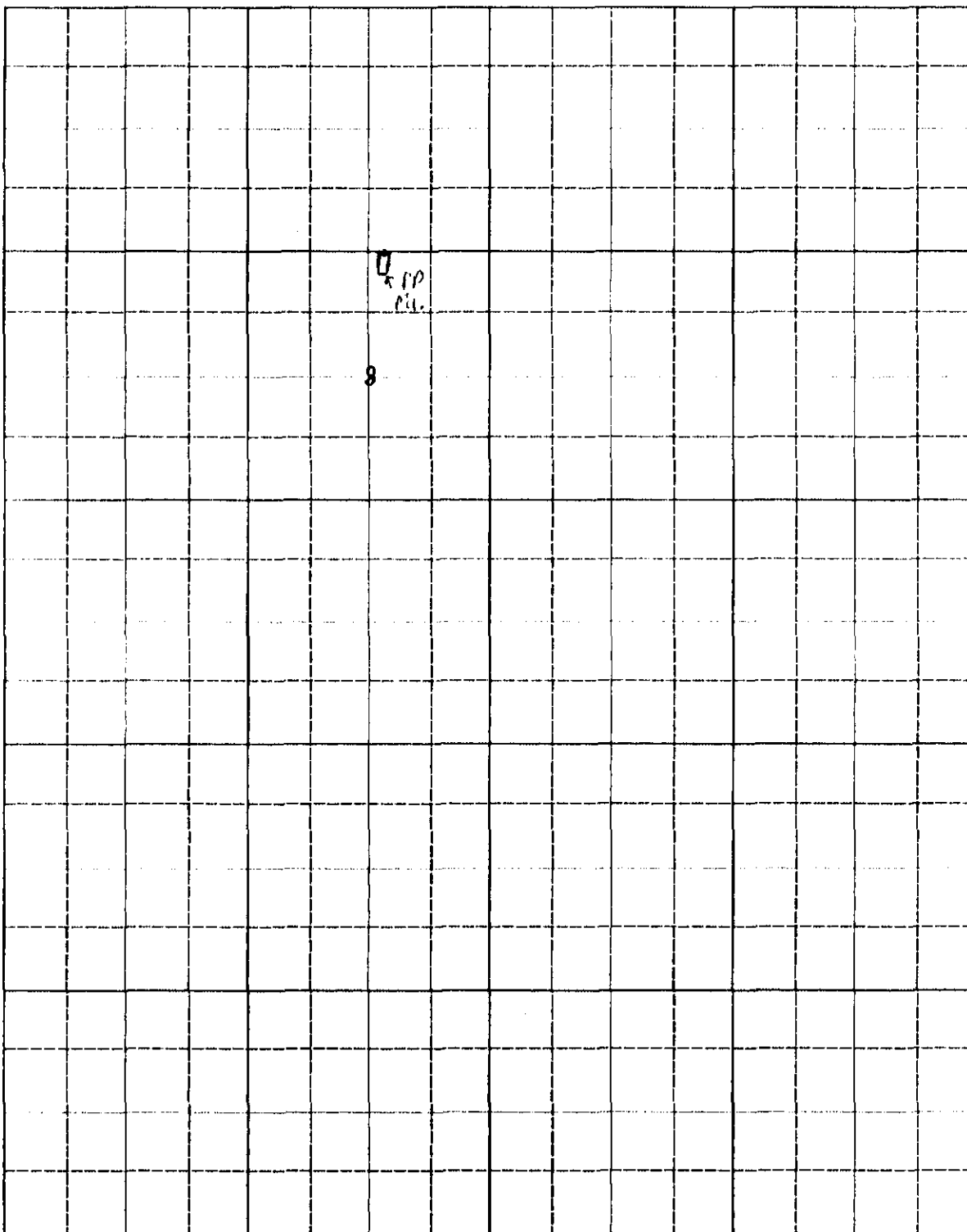
7. The process of creating a new product is a continuous one, as market needs and preferences can change over time. Therefore, it is important to stay up-to-date on market trends and be prepared to adapt the product accordingly.

8. In conclusion, the process of creating a new product involves several steps, from identifying a market need to launching the product and monitoring its performance. By following these steps, businesses can increase their chances of success in the marketplace.

9. It is also important to note that creating a new product can be a risky endeavor, as there is no guarantee that the product will be successful. Therefore, it is important to carefully evaluate the market and the product before investing resources.

10. Finally, it is worth mentioning that creating a new product can be a rewarding experience for businesses, as it allows them to differentiate themselves from their competitors and meet the needs of their customers.

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

*Justin L. Linder*  
(Applicant)

4/4/80  
Receiver

Preliminary check by EMC Fee \$ 20.

Publication prepared by kw Date 4/10/80

Published in Idaho State Journal

Publication dates 4/17 - 4/24/80 5/29 & 6/05 Re-Acl

Publication approved KW Date 6/16/80

**Protests filed by:**

Copies of protests forwarded by \_\_\_\_\_

Hearing held by \_\_\_\_\_ Date, \_\_\_\_\_

Recommended for approval denial by SPC

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 29-7539, and said application is hereby approved.

1. Approval of said application is subject to the following limitations and conditions:
- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
  - b. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 1985.
  - c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
  - d. Other:

Witness my hand this 24<sup>th</sup> day of June, 19 80

A. Glen Saxton

נוב 7 1986

Department of Water Resources

Permit No. 29-7539

Phone No. 232-7699

1. Owner: Justin Louder Phone No. 232-7699  
Current Address: 745 N. Hayes Pocatello, ID
2. Accompanied by: Applicant EXAM. DATE: 8-8-85  
Address: \_\_\_\_\_ Phone No. \_\_\_\_\_  
Relationship to Permit Holder: \_\_\_\_\_
3. Source: Groundwater tributary to \_\_\_\_\_

| Well/Diversion*<br>No. | Motor<br>Make | HP  | Motor<br>Serial No. | Pump<br>Make | Pump Serial No. or<br>Discharge Size |
|------------------------|---------------|-----|---------------------|--------------|--------------------------------------|
|                        | Jacuzzi       | 3hp | NA                  | NA           | NA                                   |
|                        |               |     |                     |              |                                      |
|                        |               |     |                     |              |                                      |
|                        |               |     |                     |              |                                      |
|                        |               |     |                     |              |                                      |

\*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)  
Well pump (3hp) set at 150' to one home - (As of  
re-check on June 24, 1986 No commercial building has been erected)

Irrigated ground approx 150' x 400'

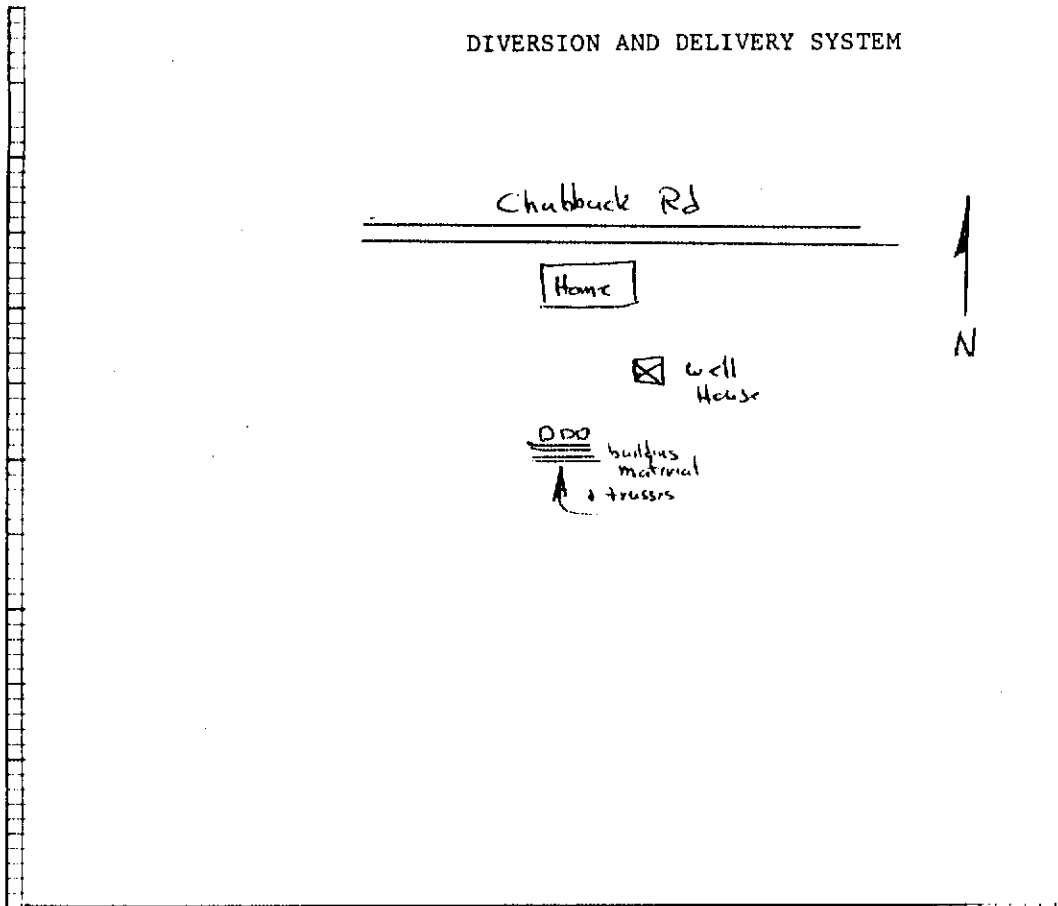
|    |                       |      |      |           |            |      |             |
|----|-----------------------|------|------|-----------|------------|------|-------------|
| 6. | Measurement Equipment | Type | Make | Model No. | Serial No. | Size | Calib. Date |
|    | Thermometer           |      |      |           |            |      |             |
|    |                       |      |      |           |            |      |             |
|    |                       |      |      |           |            |      |             |
|    |                       |      |      |           |            |      |             |

7. Measurements ☐ Additional data/computation sheets attached

- [illegible]

- [illegible]

10. Other water rights on these lands Redman ditch water
11. Other water right diverted from same p.d. NA
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☐ Photo of Diversion & System Attached ☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached
14. Remarks Commercial building not erected at time of exam. Trusses and other lumber for said building on the site. Re-check of property in June of 1986 showed that Commercial building still not erected.
15. Recommended Amendments  
☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None  
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other
16. Examiner's/Consultant's Signature H.W. Jones Date 8-01-86  
 Consultant's License Number \_\_\_\_\_  
 IDWR Director's Authorization to Conduct  
 Beneficial Use Examination \_\_\_\_\_

Date

CONSULTANT SEAL

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**LICENSING REPORT**

NOV 7 1986

29-7539

Permit No.

Department of Water Resources

**1. Measurement Calculations**

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

$$\text{Theoretical } Q = \frac{3 \text{ hp} \times 8.814 \times .8}{150' \text{ ft} + (2.308 \times 35 \text{ psi})} = \frac{21.15}{230.78} = \frac{0.091 \text{ cfs}}{0.091 \text{ cfs}}$$

allow 0.04 cfs for Domestic  
allow 0.03 cfs for one acre of irrig

Total 0.07 cfs

No Commercial use

b) Volume Calculations for Irrigation:

$$\begin{aligned} V_{ir} &= (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 1 \text{ acre} \times 3.5 \text{ cfs} = 3.5 \text{ afa} \\ V_{dr} &= [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.03 \text{ cfs} \times 245 \text{ days} \times 1.9835 = 14.6 \\ V &= \text{Smaller of } V_{ir} \text{ and } V_{dr} = 3.5 \text{ afa} \end{aligned}$$

c) Volume Calculations for Other Uses:

allow ~~0.6 afa~~ for Domestic use (lawn included in irrig. Uniform)

**2. Overlap Review**a) Other water rights with same place of use: Redman Ditch waterb) Other water rights with same point of diversion: N.A.

c) Analysis:

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## RECOMMENDED AMOUNTS

| Permit No. | Priority | Amount | App. Date | Date Proof Submitted | System Capacity |
|------------|----------|--------|-----------|----------------------|-----------------|
|            |          |        |           |                      |                 |

4. Permit Holder: \_\_\_\_\_

**Address:** \_\_\_\_\_

5. Source: \_\_\_\_\_ tributary to \_\_\_\_\_

| 6. Beneficial Use     | Period of Use |       | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|-----------------------|---------------|-------|------------------------------|--------------------------|
|                       | From          | To    |                              |                          |
| Domestic (concurrent) | 1-1           | 12-31 | 0.04                         | 0.6                      |
| Irrigation            | 3-15          | 11-15 | 0.03                         | 3.5                      |

Allowable Maximums: 0.07 cfs 4.1 afy

**7. Point(s) of Diversion:**

[illegible]

**8. Place(s) of Use**

[illegible]

9. Recommended Conditions/Remarks: \_\_\_\_\_

## 10. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None☐ Change P.U. as reflected above    ☐ Add P.U. as reflected above    ☐ Other \_\_\_\_\_

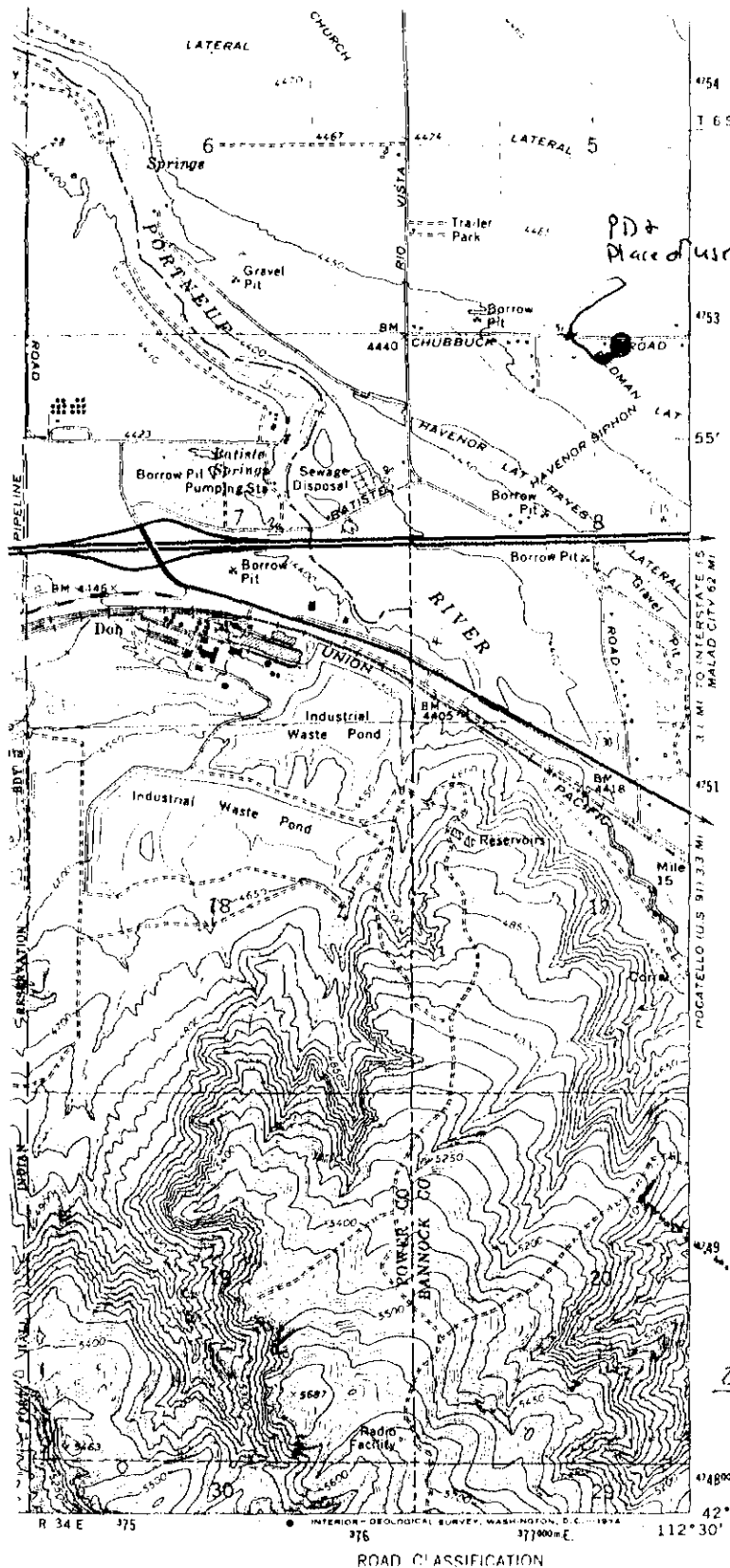
11. Examiner's Signature R. W. Jones Date 8-01-86

Checked in Regional Office by E. S. Kerner Date 10-21-86

Approved in State Office by Referral 711-1444 Date 4-23-87

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APR 17 1990



#29-7539

Map of  
April 1, 1944

29-7539

ROAD CLASSIFICATION